

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

| | | | |
|---|---|-----------|------------------|
| In re Application of: |) | | |
| Gordon, et al. |) | Art Unit: | To Be Determined |
| |) | | |
| Application No.: To Be Determined |) | Examiner: | To Be Determined |
| |) | | |
| Filed: February 26, 2004, Herewith |) | | |
| |) | | |
| For: Methods and Apparatus for |) | | |
| <u>Determining Analytes in Various Matrices</u> |) | | |

Transmittal of a Divisional Utility Patent Application

Express Mail mailing label no. EV 330361023 US

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith for filing is the divisional utility patent application for "Methods and Apparatus for Determining Analytes in Various Matrices."

- ☒ The applicant(s) hereby request(s) the filing of the divisional patent application under 37 CFR §1.53(b) is a divisional of application Serial No. 09/817,446, filed March 26, 2001, which is a continuation application of U.S. Patent Application Serial No. 09/183,157 filed on October 30, 1998 and now abandoned, which is a continuation of U.S. Patent Application Serial No. 09/058,238 filed April 9, 1998 and now abandoned, which is a continuation in part of U.S. Patent Application No. 08/723,636 filed October 2, 1996 now issued as U.S. Patent No. 5,958,714, which claims priority of U.S. Provisional Patent Application Serial No. 60/063,038, filed October 22, 1997. No amendments referred to in the oath or declaration filed to complete the prior application introduced new matter therein.
- ☒ A true copy of the following are enclosed:
 - ☒ the prior application as filed, including all 74 pages of specifications (including 54 pages of written description; 19 pages of claims (Claims 1-67), 1 page of Abstract and 16 sheets of formal drawings; and
 - ☒ the declaration of inventorship showing the signatures or an indication it was signed.

- ☐ Applicant hereby requests that the above-referenced patent application, filed concurrently herewith, **NOT BE PUBLISHED** under 35 U.S.C. §122(b). In making this request, applicants certify that the invention disclosed in the application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at 18 months after filing.
- ☐ Please delete the names of the following persons who are not inventors of the invention being claimed in this divisional application:
- ☒ Please amend the specification after the granting of a filing date herein by inserting before the first line the sentence: --This is a divisional of application Serial No. 09/817,446, filed March 26, 2001, which is a continuation application of U.S. Patent Application Serial No. 09/183,157 filed on October 30, 1998 and now abandoned, which is a continuation of U.S. Patent Application Serial No. 09/058,238 filed April 9, 1998 and now abandoned, which is a continuation in part of U.S. Patent Application No. 08/723,636 filed October 2, 1996 now issued as U.S. Patent No. 5,958,714, which claims priority of U.S. Provisional Patent Application Serial No. 60/063,038, filed October 22, 1997.--
- ☒ Applicant will file a subsequent preliminary amendment presenting new claims for prosecution.
- ☒ Check No. 3337 covering the filing fee in the amount of \$375.00 accompanies this application, calculated as follows:


| For | (Col. 1) No. Filed | (Col. 2) No. extra | Small entity Rate | Fee | Or | Other than a Small entity Rate | Fee |
|---------------------------------------|-----------------------|-----------------------|----------------------|--------|----|--------------------------------------|------|
| Basic fee | | | | \$ 375 | Or | | \$ |
| Total claims | 20 | - 20 = | 0 | x 9 | \$ | Or | x 18 |
| Indep claims | 1 | - 3 = | 0 | x 43 | \$ | Or | x 78 |
| _ Multiple dependent claims presented | | | + 130 | \$ | Or | + 260 | \$ |
| | | | Total | \$ 375 | Or | Total | \$ |

- ☒ An Assignment to Safety Associates, Inc. was previously recorded in the parent application Serial No. 08/723,636 on Reel/Frame ____/____.
- ☐ A Statement of Ownership and Power of Attorney.
- ☒ The Commissioner is hereby authorized to charge any underpayment and credit any overpayment of the filing fees required under 37 CFR § 1.16 and any patent application processing fees required under 37 § CFR 1.17 to Deposit Account No. 50-0878.
- ☒ Sixteen (16) formal drawings are enclosed.
- ☒ The undersigned is the Applicant's attorney of record in the prior application, and all future communications should be addressed to the undersigned at the new address shown here-below.

- ☐ The statement(s) of Small Entity Status filed in the prior application is no longer proper and is hereby withdrawn.
- ☒ An information disclosure statement is enclosed.

STOUT, UXA, BUYAN & MULLINS, LLP

Date: February 27, 2004

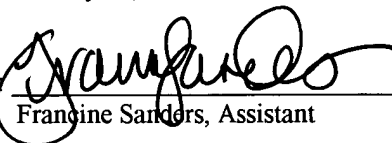

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CERTIFICATE OF MAILING

I hereby certify that this Transmittal letter, the above-identified documents and papers, and a return postcard are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on February 27, 2004 and is addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on February 27, 2004

Dated: February 27, 2004

By 
Francine Sanders, Assistant

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